



Crl.OP.No.5722 of 2022

Dr.G. JAYACHANDRAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 341, 294 (b), 323, 394 and 506(i) of IPC in Crime No.17 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and one Elumalai were pulled out from their Car by Karthikeyan, Advocate Prakash along with two other accused persons, abused the defacto complainant and his friend Elumalai in filthy language, beaten and threatened them and also taken their car. Hence, the complaint.

3. The learned counsel for the petitioners has submitted that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the co-accused/A1 and A2 were released on bail by the District



Munsif-Cum-Judicial Magistrate, Pallipattu in Crl.MP.Nos.12 and 24 of 2022 dated 07.02.2022 and 09.02.2022 respectively. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) has opposed to grant anticipatory bail to the petitioners by stating that the petitioners along with Karthikeyan and Advocate Prakash blocked the car in which the defacto complainant and his friend were travelling, pulled them out and threatened them and they have taken the said car. He further submits that the car was not yet secured.

5. Considering the facts and circumstances of the case and also considering the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the ***learned District Munisif-Cum-Judicial Magistrate, Pallipattu,*** on condition that the petitioners shall



execute separate bonds for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) each**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the Investigation Officer every day at 10.30 a.m., until further orders ;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and



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the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Vv/gv

14.03.2022



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